

### REMARKS

We acknowledge the Examiner's indication that claim 11 is allowed and that claims 2-5, 7-9, 13-16 and 18-20 would be allowed if rewritten in independent form to include all of the limitations recited in the base claim and intervening claims.

We have amended the title as requested by the Examiner.

#### Prior Art Rejections

Examiner Claims 1, 6, 10, 12, 17 and 21 were rejected as being anticipated by Shimoda et al. (U.S. Patent No. 6,442,115 hereinafter "Shimoda").

#### *Independent Claim 1*

Shimoda does not disclose a laser condition varying unit that changes a peak value of the laser pulse in accordance with the absolute time information of the optical disc at a position at which the laser pulse is irradiated. Rather, Shimoda discloses counting the interval of the pulse of the detection signal and determining the linear velocity to instruct the optimum recording power of the laser 14a (see column 9, lines 58-66 of Shimoda). Further, Shimoda discloses detecting the wobble frequency and determining the linear velocity of the DVD-R1 to control the output power of the laser 14a (see column 6, lines 31-36). The present invention changes a peak value of the laser pulse in accordance with the absolute time information, thereby facilitating the alteration of the write strategy, such as a peak value of the laser pulse. Accordingly, the present invention distinguishes over Shimoda.

#### *Independent Claim 6 and 10*

Shimoda does not disclose a laser condition varying unit for altering at least one of a pulse timing and a pulse width of the laser pulse based on the absolute time information. Accordingly, the inventions of independent claims 6 and 10 distinguishes over Shimoda for at least the same reason that is argued in relation to claim 1.

*Independent Claim 12, 17 and 21*

Shimoda does not disclose a laser drive circuit for altering the peak value of the laser pulse to the specified peak value based on the absolute time information. Accordingly, the inventions of independent claims 12, 17 and 21 distinguishes over Shimoda for at least the same reason that is argued in relation to claim 1.

The fee in the amount of \$120.00 for the one month extension of time is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 10449-041001.

Respectfully submitted,

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